

INTERNATIONAL SEARCH REPORT

International application No.
PCT/BR 2004/000235

A. CLASSIFICATION OF SUBJECT MATTER

IPC⁷: A61K 31/52, B32B 27/32, 27/36, A61J 1/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC⁷: A61K, B32B, A61J

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WPI, EPODOC, PAJ, CAS, medline

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 1023899 A1 (WAKAMOTO PHARMACEUTICAL CO., LTD.) 2 August 2000 (02.08.2000) <i>paragraphs [0037] and [0043], claims 1, 5-8.</i>	1, 2, 5, 15, 16, 18, 26-28, 35-39
X	CN 1403084 A (WUHAN LUALONG BIOLOGICAL PHARM. CO. LTD.) 19 March 2003 (19.03.2003) <i>abstract (WPI; Acc.No.: 2003-542332)</i>	1,5,15,16
X	Ogino Takashi, "Stability and physicochemical properties of ganciclovir", Kagaku Ryoho no Ryoiki (1998), 14(4), pages 670- 672 <i>abstract (HCplus; Acc.No.: 1998:251977).</i>	1, 2, 5, 15, 16, 18

Further documents are listed in the continuation of Box C.

See patent family annex.

- * Special categories of cited documents:
 "A" document defining the general state of the art which is not considered to be of particular relevance
 "E" earlier application or patent but published on or after the international filing date
 "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
 "O" document referring to an oral disclosure, use, exhibition or other means
 "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

Date of the actual completion of the international search
21 July 2005 (21.07.2005)

Date of mailing of the international search report
3 August 2005 (03.08.2005)

Name and mailing address of the ISA/ AT
Austrian Patent Office
Dresdner Straße 87, A-1200 Vienna

Authorized officer
KRENN M.

Facsimile No. +43 / 1 / 534 24 / 535

Telephone No. +43 / 1 / 534 24 / 435

INTERNATIONAL SEARCH REPORT

International application No.
PCT/BR 2004/000235

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 733472 A2 (W.R. GRACE & CO.-CONN.) 25 September 1996 (25.09.1996) <i>abstract.</i> --	9, 24
A	JP 2003073395 A (MITSUI CHEMICALS INC.) 12 March 2003 (12.03.2003) <i>abstract, online-translation of the JPO.</i> --	11-14

INTERNATIONAL SEARCH REPORT

International application No.
PCT/BR 2004/000235

Continuation of first sheet

Continuation NO. II:

Observations where certain claims were found unsearchable

(Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

Claims Nos.: 26-31, 35-39 because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 26-28 and 35-39 are directed to a therapeutic method of treatment of the human/animal body, a search has been carried out and is based on the alleged effects of the composition.

Claims 29-31: see lower paragraph

Claims Nos.: 3, 4, 6-8, 10, 17, 19-23, 25, 29-34 because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

The characterization of a formulation by its pH is function-orientated (claims 3, 4, 6, 7, 17, 19).

A material-inherent description of a packing equipment is insufficient (claims 8,10); it should be replaced by the determination of compounds being used.

A pharmaceutical preparation has to be characterized by present features; thus a characterization of such a preparation by its purity from alkaline residues is not allowed (claims 20, 21). It is recommended to reformulate said claims as product-by-process claims (Pharmaceutical preparation produced by a process according to claims ...).

Characterization of a pharmaceutical preparation by its packing is not allowed (claims 22, 23).

A claim directed to the use of a closed system cannot be characterized by either a manufacturing process for pure ganciclovir crystals (claim 25) or its use in the treatment of immunosuppressed patients (claims 29-31).

A product, namely crystals of ganciclovir cannot be characterized by process steps (claims 32-34).

INTERNATIONAL SEARCH REPORT

International application No.
PCT/BR 2004/000235

Continuation No. III:

Observations where unity of invention is lacking

(Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. Ready-for-use injectable solution (claims 1-10, 15-19, 22-24, 26-31, 35-39)
2. Process for eliminating alkaline residues from ganciclovir (claims 11-14)
3. Solid pharmaceutical preparation containing ganciclovir (claims 20, 21, 25, 32-34)

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

INTERNATIONAL SEARCH REPORT

Information on patent family members

 International application No.
PCT/BR 2004/000235

Patent document cited in search report			Publication date		Patent family member(s)		Publication date
A						none	
CN	A	1403084		2003-03-19		none	
EP	A1	1023899		2000-08-02	WO	A1	9916447
					AU	A	9186398
EP A 733472						1999-04-08	
						1999-04-23	
						US	A 6027776
						JP	A 8275985
						PT	T 733472T
						FI	A 961305
						ES	T3 2186756T
						EP	A2 0733472
JP A 20030733						2000-02-22	
95A2						1996-10-22	
						2003-04-30	
						1996-09-23	
						2003-05-16	
						1996-09-25	
JP A 20030733						none	
95A2							